

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

DAYNIAH MANDERSON

Plaintiff,

-against-

THE NEW YORK CITY DEPARTMENT OF
EDUCATION, THE CITY OF NEW YORK,
and MEISHA PORTER, in her official capacity
as Chancellor of the New York City Department
of Education,

Defendants.

No. 21 Civ. 02047 (JPC)

**JUDGMENT PURSUANT
TO RULE 68**

WHEREAS, on March 10, 2021 Plaintiff Dayniah Manderson filed this action alleging violations of her civil rights under the Americans with Disabilities Act (“ADA”), Section 504 of the Rehabilitation Act (“Section 504”), and the New York City Human Rights Law (“NYCHRL”);

WHEREAS, on November 17, 2021, pursuant to Fed. R. Civ. P. 68, Defendants, the New York City Department of Education (“DOE”), the City of New York, and Richard A. Carranza (collectively “defendants”) served on the Plaintiff an Offer of Judgment in favor of plaintiff (ECF No. 37, Ex. A); and

WHEREAS, on November 23, 2021, plaintiff accepted defendants'offer (ECF No. 37).

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Defendants shall pay plaintiff fifty thousand and one dollars and zero cents (\$50,001.00), plus reasonable attorneys’ fees, expenses, and costs accrued to date, for all claims that have been, or could have been asserted in the complaint to the date of this offer;

2. Defendants shall provide all equitable relief specified in the offer of judgment (ECF No. 37, Ex. A);

3. This judgment shall be in full satisfaction of all claims or rights that plaintiff may have as to damages, or any other form of relief, under the ADA, Section 504, CHRL, or any other law, arising out of the alleged acts or omissions of defendants and any official or employee, either past or present, of the DOE, the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action;

4. This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by any defendant, official or employee of the DOE, the City of New York, or any agency thereof, nor is it an admission that plaintiff has suffered any damages; and

5. Acceptance of the offer of judgment has acted to release and discharge defendants, its successors and assigns, and all past and present officials, employees, representatives and agents of the DOE, and the City of New York from any and all disability discrimination claims, including under the ADA, Section 504, and CHRL, that were or could have been alleged by plaintiff in the above-referenced action. Acceptance of this offer of judgment has also operated to waive plaintiff's rights to any claim for interest on the amount of the judgment.

DATED: November 30, 2021

SO ORDERED: 
JOHN P. CRONAN
United States District Judge